

## REMARKS

Remaining in the case is method Claim 23 with Claims 3-13 depending from it and apparatus Claim 24 with Claims 15-22 depending from it.

All of the Claims 1-22 as previously presented have been rejected by Examiner O'Neill under 36 U.S.C. § 103(a) as being unpatentable over Karmarkar in view of Hooks et al.

In the last paragraph of Page 3, of the Office Action, Examiner O'Neill states:

"The applicants argue that 'there is no teaching in Karmarkar of emulating or reconstructing a gaming event by juxtaposing a sequence in individual video clips from a stored library of clips comprising the finite set of possible occurrences during the progress of a single game.' Respectfully, the Examiner has reviewed the claims and does not see this as a limitation; therefore, it is irrelevant whether Karmarkar has the teaching vel non because it is not claimed by the applicants."

Independent claims 1 and 14 have been replaced by Claims 23 and 24, each of which now clearly includes the phraseology which Examiner O'Neill indicated is lacking in the original claims and, by implication, the new claims are deemed to define over Karmarkar.

In the last paragraph of Page 4 of the Office Action, Examiner O'Neill further states:

"The applicants argue that their invention "simultaneously transmits an ongoing game to a remote location in a way to reduce the band width of the required transmitting facility by using a library of pre-recorded clips. Respectfully, the Examiner does not see where in the claims this is claimed as recited above."

Claims 23 and 24 have written to specifically include this provision of transmitting an ongoing game to a remote location in a way to reduce the band width of the required transmitting facility by using a library of pre-recorded clips, which by implication, defines over the prior art.

Reduced band width is accomplished by assigning to each video clip a code so that the band width need be broad enough only to transmit the code for each video clip rather than the entire pre-recorded video clip. This is a unique way to reduce band width while at the same time providing a system for the reconstruction or emulation of a game at a remote location that is not taught or suggested by the prior art.

Unless the undersigned has completely misconstrued the Office Action, the independent Claims as rewritten should clearly be in condition for allowance as containing phraseology that Examiner O'Neill implies would distinguish over Karmarkar and Hook.

Examiner O'Neill has maintained an objection to the drawings "because the applicant has failed to explain how the new drawing, Figure 7, shows the claim feature as required by Rule 11(b)." It is respectfully submitted that Figure 7 is illustrative of the sequence of steps as set forth in new Claim 23. Step (a) of preparing a stored library of pre-recorded individual video clips is illustrated by Element 80 which is identified as "library of pre-recorded audio/video clips." Step (b) storing said library of pre-recorded individual clips is again indicated by the numeral 80--that is the phraseology "library of pre-recorded audio/video clips" clearly identifies storage of such information in a way that any kind of library is considered a place of storage since "library" means broadly a "place where books are kept for use," but in this instance pre-recorded audio/video clips are kept for use.

Step (c) of the method claim is "transmitting a sequence of individual identification codes as to the game progress from said base station to said remote location over said communication channel." This is plainly indicated by Figure 7 which shows a game 72, base station host computer 74 and identification code generator 76 connected to a communication channel 78. How could Step (c) be better illustrated?

The final step of method Claim 23 recites, "at said base station using said individual identification codes to selectably juxtapose a sequence of said individual video clips from such stored library to emulate or reconstruct said game and thereby reducing the band width required of said transmitting step." Figure 7 shows, at the remote location, the presence of the library of pre-recorded audio/video clips (80), the remote location computer 52, and at 82, the step where the computer, utilizing the library of pre-recorded video clips in response to the communication

channel that transmits identification code, provides, as an output, the audio/video presentation of selected clips.

In the first full paragraph of page 4 of the Office Action, Examiner O'Neill refers to element 170 of Figure 2 of Karmarkar and to paragraph [0056] wherein the element 170 is described as a "disk or tape playback farm" and states that the term "farm" is equivalent to "library." The system of Karmarkar includes a "random number generator (RNG) for selection of one of a plurality of video sources" which is completely different than applicant's concept of using individual identification codes to selectably juxtapose a sequence of individual video clips to emulate or reconstruct a game, as provided in Claim 23, lines 14-16. Thus the "farm" in Karmarkar is not the equivalent of applicant's library of pre-recorded individual video clips, each video clip being associated with an individual identification code.

If Examiner O'Neill believes that Figure 7 is still deficient in illustrating the method of invention, his suggestions as to how Figure 7 could be changed, corrected or enhanced, would be particularly appreciated.

As to system Claim 24, Figure 7 is specifically illustrative. The first element called for in the system claim is "a host computer at a base location" which is element 72 entitled, "Base Station Host Computer." The second element in the system claim is "a computer system at each remote location" which is illustrated by the Remote Location Computer 52. The third element is "a communication channel" represented by block 78 identified as "Communication Channel." The fourth element in the system claim is a "prepared library of pre-recorded video clips" which is essentially the terminology used in block 80. The last element is an input apparatus connected to the host computer for inputting information as to the progress of the game. This is illustrated at the remote location by the Remote Location Computer, block 52 which functions as an input apparatus to, in response to received codes, extract from the Library Of Pre-Recorded

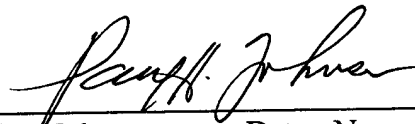
Audio/Video Clips and convey, by way of computer 52, extracted clips to the Audio/Video Presentation of Selected Clips indicated by Box 82.

The thorough examination given by Examiner O'Neill is acknowledged with appreciation and particularly the suggestions by Examiner O'Neill as to the way in which the claims can be restructured so as to clearly define over Karmarkar and Hook et al.

As indicated above, unless the undersigned has clearly misinterpreted the suggestions of Examiner O'Neill, it is believed that the application is in condition for allowance.

It is understood there is no fee due at this time. However, should a fee deficiency have occurred, please charge Deposit Account No. 50-1971 per 37 C.F.R. § 1.25.

Respectfully submitted,



---

Paul H. Johnson      Date: November 9, 2004  
Registration No. 19,224  
PTO Customer No. 28,827  
GABLE & GOTWALS  
100 West 5th St., 10th Floor  
Tulsa, OK 74103  
Tel: (918) 595-4963  
Fax: (918) 595-4990  
E-mail: [iplaw@gablelaw.com](mailto:iplaw@gablelaw.com)